
Minutes
Regular Meeting
November 25, 2014

Attendance: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Manager Roger Carter, City Attorney Jeff Starkey, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Assistant Public Works Director Lester Dalton, Police Chief Jim Keith, City Recorder Danice Bulloch, Audience: Mari Smith, Joe Phillips, Blake Wade, Mike Gardner, Stephen Sheffield, Troy Miller, Adam Holden

Meeting commenced at 6:00 P.M.

Invocation: Councilman Truman

Pledge of Allegiance: Councilman Nisson

1. APPROVAL OF THE AGENDA

Councilman Truman made a motion to approve the agenda. Councilman Turek seconded the motion; which passed with the following roll call vote:

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|--------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

2. ANNOUNCEMENTS

Mayor Neilson invited everyone to the Christmas in Dixie Celebration on December 1st at 6:00 P.M.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 10/07/14, 10/21/14, 10/22/14 and 11/12/14.

Councilman Truman made a motion to approve the consent agenda. Councilman Turek seconded the motion; which passed with the following roll call vote:

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|---------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

5. PLAT AMENDMENT

A. Consideration to approve an Amendment to the Highland Park Area, Phase 1, located at approximately 400 N. Highland Park. Applicant: Mike Gardner, Coral Canyon Builders

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of an Amended Final plat for the Highland Park Area 4, Phase 1 subdivision, located at approximately 400 North Highland Park. This subdivision is located within the Coral Canyon PCD. The amendment request is simply to combine several smaller lots into larger lots within the platted subdivision boundaries.

The current number of lots within the subdivision is 32, and the new number of lots will be 28.

Staff has reviewed the proposed amended final plat and finds it conforms to the PCD zoning that is part of the Coral Canyon Planned Community Development approval. The subdivision is also in compliance to the Subdivision Ordinance of the City.

The Planning Commission unanimously recommended approval of Amended Final Plat for the Highland Park Area 4, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Staheli made a motion to approve an Amendment to the Highland Park Area, Phase 1, located at approximately 400 N. Highland Park with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Nisson seconded the motion; which passed with the following roll call vote:

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|---------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

B. Consideration to approve an Amendment for the Bluff View Townhomes, Phase 1 Second Amendment, located at 1100 E. Bluff View Drive. Applicant: Salisbury Homes

Community Development Director Drew Ellerman:

The applicant is requesting approval of a second Amended Final plat for the Bluff View Townhomes, Phase 1 subdivision, located at approximately 1100 East Bluff View Drive. The reason for this second amendment request, is due to an underground electrical line which runs to close to the platted townhome units in a particular section of the subdivision.

The townhomes need to be moved to the north roughly 3-6 feet to give sufficient space for the buried lines minimum required clearance. This is the only change for this requested amendment.

Staff has reviewed the proposed amended final plat and finds it conforms to the PUD zoning that is part of this development approval. The subdivision also remains in compliance to the Subdivision Ordinance of the City.

The Planning Commission unanimously recommended approval of the Second Amended Final Plat for the Bluff View Townhomes, Phase 1 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or

“Property Owners”, shall be changed to read as “Property Owners and/or Home Owners Association”.

5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Councilman Staheli clarified the location of the powerline is under the driveways near the road.

Community Development Director Ellerman confirmed he was correct.

Councilman Staheli asked if there were any issues with power easements.

Community Development Director Ellerman explained there are no issues with the easements, because it is a PUD development. All of the area surrounding the buildings is common area.

Councilman Truman stated he appreciates Staff finding a simple solution to this issue.

Councilman Staheli made a motion to approve an Amendment for the Bluff View Townhomes, Phase 1 Second Amendment, located at 1100 E. Bluff View Drive with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Turek seconded the motion; which passed with the following roll call vote:

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|---------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

6. PUBLIC HEARINGS AND RELATED ORDINANCES

A. Public Hearing for consideration to approve an Ordinance adopting the Washington City Parks and Recreation Impact Fee Facility Plan and Analysis, and establishing and adopting a Parks and Recreation Impact fee to meet the demands of new growth. Leisure Service Director Barry Blake

Leisure Services Director Barry Blake stated he received a letter from the Southern Utah Home Builders Association today. This letter will be addressed by Sunrise Engineering.

Joe Phillips with Sunrise Engineering stated he received the letter from SUBA at approximately 4:00 P.M., which left him no time to respond to the questions. However, he would be happy to address the questions as best as possible. The Community Center impact fee was questioned with regard to how the calculations were figured. The same process has been applied for this impact fee plan as has been done with the previous impact fee plans. He would be willing to go back and re-calculate all of the figures for Council.

Councilman Truman asked how we are able to reduced the impact fees by such a large amount.

Leisure Services Director Blake stated the calculations are based on the level of service provided by Washington City. The previous figures were based on a level of service of six. However, this plan has been based on a level of service of three.

Councilman Truman asked if the surrounding outdoor activities available in Southern Utah should be taken into account.

Leisure Services Director Blake stated including the Southern Utah area in the plan has been done. The level of services has been cut in half based on the other outdoor activities available to our residents.

Councilman Staheli asked if the population calculation in the letter sent by SUBA has been addressed.

Mr. Phillips stated the the calculations have been addressed based on not only the current population, but the the population capacity.

Councilman Staheli asked what they see as the target level of service.

Mr. Phillips stated Council had previously asked to see approximately 3.55 units per 1000, which Washington City is slightly under at this time.

Leisure Services Director Blake stated Staff would be willing to go back and do all the recalculations, which have been asked by SUBA. However, with the amount available after receiving the questions, there was not time to recalculate everything prior to this meeting. He does feel all of the numbers shown are correct, and he has full confidence in Sunrise with their plan.

Mari Smith stated she apologized for the delay in submitting the questions to Staff yesterday. They received the plan in October, which did not give them much time review the document. She would like to ask the plan be tabled until their concerns could be addressed. They had been told with the increase in the Public Safety Impact Fee increase, the Park Fees would be decreased. They are also concerned about the Community Center, and if the fees are being collected from non-residents. It is getting very difficult to find affordable housing, and if the impact fees increase, the home prices go up.

City Manager Roger Carter stated there has been a discussion about the Public Safety Fee. However, it is at the discretion of the Council to offset the impact fees for other departments. It is not asked of the engineers to do so, as it would be outside of their jurisdiction and outside of the law.

No further public comments were made.

Councilman Turek made a motion to close the public hearing. Councilman Truman seconded the motion; which passed with the following roll call vote:

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|---------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

B. Consideration to approve an Ordinance adopting the Washington City Parks & Recreation Master Plan / Impact Fee Facility Plan and Analysis.

Councilman Truman stated he would like to table the Ordinance until the calculations within the plan can be double checked.

Councilman Staheli asked about the trail connections on Mall Drive.

Leisure Services Director Blake reviewed the plans for the trails.

*Councilman Seegmiller arrived at 6:32 P.M.

Councilman Staheli asked if the Mall Drive Bridge Trail has been included in this plan.

Leisure Services Director Blake stated the trails are within the plan as a length rather than the specific trails. Therefore, the trails can be built as needed.

Councilman Staheli stated he is concerned about the giving up on the canal trail. There are very few trails or parks on the east side of Washington Fields Road. If the City cannot find land to build a park, would it not make sense to develop the canal trail to lead to the Sullivan Park.

Leisure Services Director Blake explained those items are included in the plan. However, there are items, which need to take place such as easements, they will need to be acquired prior to moving forward.

Council discussed the issues regarding the canal easement on private property.

Councilman Turek expressed his concerns with the Virgin River South trail, which is in St. George City.

Leisure Services Director Blake stated St. George City would be willing to install this small amount of trail. It is a very small distance of maybe 100 yards, and he would make sure these issues are addressed with St. George City prior to putting any funding toward the development.

Councilman Turek commented he agrees with Councilman Staheli. There are areas on the west side of Washington Fields Road, which should be addressed.

Leisure Services Director Blake stated he continues to work on projects in the area. There are many items, which must be addressed, and he is working on these issues.

Councilman Truman made a motion to table the Ordinance adopting the Washington City Parks & Recreation Master Plan / Impact Fee Facility Plan and Analysis until December 10th, in order to answer questions imposed by SUBA. Councilman Seegmiller seconded the motion; which passed with the following roll call vote:

Councilman Nisson Aye

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| Councilman Staheli | Aye |
| Councilman Seegmiller | Aye |
| Councilman Truman | Aye |
| Councilman Turek | Aye |

7. RESOLUTIONS

A. Consideration for adoption of a Resolution of the City Council of Washington City, Utah authorizing and approving the execution of an amendment to Master Lease Agreement, by and between Washington City and the Municipal Building Authority of Washington City, Utah; authorizing the issuance and sale by the authority of its Lease Revenue Bonds, Series 2015, in the aggregate principal amount of not to exceed \$3,700,000; authorizing the execution of a supplemental indenture, Ground Lease, Leasehold Deed of Trust, Bond Purchase Agreement, Certain Security documents and other documents required in connection therewith; authorizing the construction of a Police Building and related matters. City Manager Roger Carter

City Manager Roger Carter briefly reviewed the Resolution.

Mr. Blake Wade from Ballard Spahr, explained the cross collateral bonding process.

Councilman Seegmiller asked if the resolution is approved tonight, what would be the time frame for construction.

City Manager Carter stated they hope to have plans to bid in February. The construction time is approximately 1 year.

Police Chief Keith stated he has met with each Council Member to address costs, and options for different locations. The best option, and most cost effective, would be to use the property to the east of the Washington City Office Building and currently owned by Washington City.

Councilman Turek made a motion to adoption of a Resolution of the City Council of Washington City, Utah authorizing and approving the execution of an amendment to Master Lease Agreement, by and between Washington City and the Municipal Building Authority of Washington City, Utah; authorizing the issuance and sale by the authority of its Lease Revenue Bonds, Series 2015, in the aggregate principal amount of not to exceed \$3,700,000; authorizing the execution of a supplemental indenture, Ground Lease, Leasehold Deed of Trust, Bond Purchase Agreement, Certain Security documents and other documents required in connection therewith; authorizing the construction of a Police Building and related matters. Councilman Truman seconded the motion; which passed with the following roll call vote:

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|-----------------------|-----|
| Councilman Nisson | Aye |
| Councilman Staheli | Aye |
| Councilman Seegmiller | Nay |
| Councilman Truman | Aye |
| Councilman Turek | Aye |

B. Consideration for adoption of a Resolution of the City Council of Washington City, Utah acting as the Governing Body of the Coral Canyon Special Service District ("The District") authorizing an interest rate reduction to the District's General Obligation Refunding Bonds, Series 2012; and related matters. City Manager Roger Carter

City Manager Carter reviewed the proposed Resolution reducing the rate for the Coral Canyon Special Service District Bond.

Councilman Seegmiller made a motion to adoption of a Resolution of the City Council of Washington City, Utah acting as the Governing Body of the Coral Canyon Special Service District ("The District") authorizing an interest rate reduction to the District's General Obligation Refunding Bonds, Series 2012; and related matters. Councilman Staheli seconded the motion; which passed with the following roll call vote:

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|------------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Seegmiller</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

8. AGREEMENT

A. Consideration to approve a Storm Drain Participation Agreement between Washington County School District and Washington City. Assist. Public Works Director Lester Dalton

Assistant Public Works Director Lester Dalton reviewed:

This is the final agreement for funding of the Treasure Valley Storm Drain project, which is currently under construction. The District sees the benefit to coordinate their future plans and have the ability to discharge to the system.

The agreement accounts for a pre-payment of Stormwater Impact Fees in the amount of \$145,859.00, which will be used to build the project.

Councilman Seegmiller made a motion to approve a Storm Drain Participation Agreement between Washington County School District and Washington City. Councilman Truman seconded the motion; which passed with the following roll call vote:

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|------------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Seegmiller</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

9. AWARD OF BID & RFP

A. Consideration to award the bid for the Eastern Regional Connection Water Project. Assist. Public Works Director Lester Dalton

Assistant Public Works Director Lester Dalton reviewed:

This project has been under discussion for many years. We received a total of six bids from prequalified contractors. This project will bring water from the Regional Pipeline to to all areas of the City north of the Virgin River.

Staff recommends the bid be awarded to Interstate Rock Products for the amount of \$3,263,540.35 as they are the lowest responsive responsible bidder.

Councilman Staheli made a motion to award the bid for the Eastern Regional Connection Water Project to Interstate Rock Products in the amount of \$3,263,540.35. Councilman Turek seconded the motion; which passed with the following roll call vote:

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|------------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Seegmiller</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

10. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Councilman Seegmiller stated the recycling issue continues to be of a significant amount of discussion. The money from the binnies is not really an income source, however, the smaller Cities are not interested in charging for a recycling program. St. George City has indicated they would be willing to begin a recycling program on their own, if no other Cities get on board. An RFP has been sent out by the Sewer District to get pricing on a recycling program. He will keep Council apprised.

Councilman Turek stated we have hired a new Water Superintendent, Mike Winters, to replace our current Superintendent who is retiring at the end of the year.

11. CITY MANAGER REPORT

City Manager Roger Carter stated the survey for recycling will be placed on our workshop meeting in December. The 2000 South interchange equipment has been ordered. The Southern Parkway construction has begun and the estimated time for completion is one year. Last week UAMPS approved 35 million to go to the Veyo power project, which means Washington City has subscribed to one mega-watt of power for Washington City.

Councilman Seegmiller asked the status of the 400 South Hobble Creek flooding issues.

City Manager Carter stated he spoke with Salisbury Homes, and they have indicated they are holding a shared responsibility with their engineer.

Public Works Director Mike Shaw stated the Dog Park draining will be installed by Staff. There will be pipe placed on the north side of the fencing. The pipe will go through the detention basin and drain out to 300 East to an existing catch basin. We have contracted with Kramer-Noble to designing the drainage plan on 400 South.

City Manager Carter stated once the drainage has been completed, the landscaping will be installed on the south portion of the Dog Park.

Councilman Staheli made a motion to recess the Regular Meeting in order to hold the Municipal Building Authority Meeting. Councilman Seegmiller second the motion; which passed with the following roll call vote:

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|------------------------------|------------|
| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Seegmiller</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

Council moved into the Municipal Building Authority Meeting at 7:24 P.M.

Council adjourned the Municipal Building Authority Meeting and returned to the Regular Meeting at 7:27 P.M.

12. CLOSED SESSION

A. The character or professional competence of an individual.

Councilman Seegmiller made a motion to move into Closed Session to discuss the character or professional competence of an individual. Councilman Turek second the motion; which passed with the following roll call vote:

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| <i>Councilman Nisson</i> | <i>Aye</i> |
| <i>Councilman Seegmiller</i> | <i>Aye</i> |
| <i>Councilman Staheli</i> | <i>Aye</i> |
| <i>Councilman Truman</i> | <i>Aye</i> |
| <i>Councilman Turek</i> | <i>Aye</i> |

Council moved into Closed Session at 7:27 P.M.

Council adjourned the Closed Session and returned to the Regular Meeting at 9:26 P.M.

13. ADJOURNMENT

Councilman Seegmiller made a motion to adjourn the meeting. Councilman Turek seconded the motion; which passed with the following roll call vote:

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| <i>Councilman Nisson</i> | <i>Aye</i> |
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Councilman Seegmiller Aye
Councilman Staheli Aye
Councilman Truman Aye
Councilman Turek Aye

Meeting adjourned at 9:26 P.M.

Passed and approved this 10th day of December 2014.

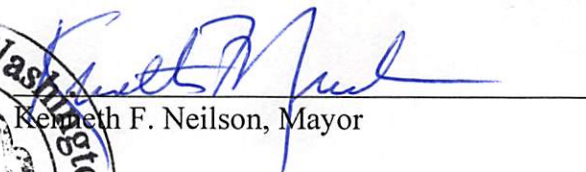
Washington City

Attest by:



Danice B. Bulloch, CMC
City Recorder




Kenneth F. Neilson, Mayor

